

REMARKS

The claims have been amended in a sincere attempt to place the case in immediate condition for allowance. Claims 1, 3, and 5-7 have been canceled; Claim 4 has been amended to specify that (1) the petroleum resin is one that is a polymerizate of a cyclopentadiene based compound and a vinyl aromatic compound and (2) the hydrogenation catalyst is one comprising palladium and platinum supported on a carrier “consisting of” alumina at a ratio by mass of palladium to platinum in the range of 2.5 to 3.5. Claim 2 has been changed to depend from Claim 4 with an appropriate change being made to the preamble.

The rejection of Claims 1, 2, 6, and 7 under 35 U.S.C. § 102 as anticipated by Kukes et al. ‘172 is moot in view of the cancellation of those claims.

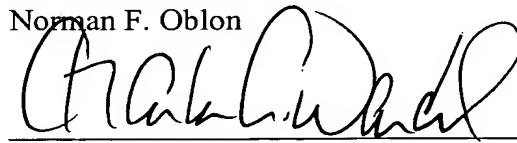
The rejection of Claims 4 and 5 under 35 U.S.C. § 103 as unpatentable over Kukes et al. ‘172 in view of Azuma et al. ‘480 is respectfully traversed. As the Examiner acknowledges, the primary reference requires the carrier for the catalyst to contain mordenite. Amended Claim 4 contains the restricting term “consisting of” to define the carrier. As pointed out on page 5 of the reply filed December 30, 2005, Kukes et al. ‘172 teaches away from using alumina solely as a carrier. See the discussion in Kukes et al. ‘172 at column 4, lines 19-28 and Example 15 regarding the poor dearomatization performance, volume expansion, cetane number improvement, desulfurization, and denitrogenation when using alumina as a carrier. There is nothing in the secondary reference that would cause the person of ordinary skill in the art to ignore the specific admonitions of the primary reference. It is respectfully submitted therefore that the invention as claimed patentably distinguishes over the cited art. The rejection should be withdrawn.

The Examiner is requested to telephone the undersigned should additional changes be required in the case prior to allowance.

Respectfully submitted,

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